

P23560.TD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants : Tsuneo HIRAIKE et al. Confirmation No. 1781
Appln. No. : 10/621,680 Group Art Unit: 1773
Filed : July 18, 2003 Examiner: Jackson, MONIQUE R
For : CALCIUM PHOSPHATE-SYNTHETIC RESIN-METAL COMPOSITE
BODY AND METHOD FOR PRODUCTION THEREOF

TERMINAL DISCLAIMER

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Your petitioner, PENTAX Corporation, a corporation organized and existing under the laws of Japan, whose business address is 36-9, Maenocho 2-Chome, Itabashi-ku, Tokyo, Japan, represents that it is the owner of record of the entire right, title and interest of the above-identified application by virtue of an assignment recorded in the U.S. Patent and Trademark Office on November 5, 2003 at Reel 014665, Frame 0688 of U.S. Application No. 10/621,680 for Calcium Phosphate-Synthetic Resin-Metal Composite Body and Method for Production Thereof.

The undersigned representative is authorized to act on behalf of the assignee, and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee.

Your petitioner, PENTAX Corporation, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application which

1

10/18/2005 HAL111 00000119 10621680

01 FC:1814

130.00 OP

Best Available Copy

P23560.TD

would extend beyond the expiration date of any U.S. patent granted to copending Application No. 10/615,013 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to copending Application No. 10/615,013, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of any U.S. patent granted to copending Application No. 10/615,013 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2005 10/14 10:18 FAX 03 5228 6515
06-10-14; 9:25AM; PENTAX PATENT DEPT.
OCT. 12, 2005 5:19PM

TAKAISHI AND ASSOCIATES → GREENBLUM

56

;03-5392-2012

004/004

6/ 6

NO. 1386 P. 4

P23560.TD

Respectfully submitted,

PENTAX Corporation

By: Director

Zenichi Ohkura

Name

Zenichi Ohkura

Best Available Copy